

REMARKS

This application has been reviewed in light of the Office Action dated March 17, 2004. Claims 1-8 and 10-23 are pending in this application. Claim 9 has been cancelled, without prejudice or disclaimer of subject matter. Claims 1, 3, 5-8, 10, 11, 13, and 15-23 have been amended to define still more clearly what Applicants regard as their invention. Claims 1, 5, 7, 8, 10, 11, and 15-23 are in independent form. Favorable reconsideration is requested.

The Examiner objected to the title as being not descriptive. Applicants have amended the title as shown above and submit that it is indicative of the invention to which the claims are directed.

The Office Action objected to the Figure 4, asserting that the arrow indicating the flow of data was pointing in the wrong direction. Applicants, as noted above, have amended Figure 4, to change the direction of the arrow to correctly indicate the direction of flow of data from the left side to the right side of the page. Applicants submit that the objection to Figure 4 has been remedied, and its withdrawal is therefore respectfully requested.

The Office Action rejected Claims 8, 17, and 22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,485,282 (Takeda); rejected Claims 9, 10, 18, and 23 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,005,673 (Murai); rejected Claims 1-4, 11-14, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Takeda in view of U.S. Patent No. 5,757,965 (Ohki) and in further view of U.S. Patent No. 5,835,923 (Shibata); and rejected Claims 5-7, 15, 16, 20, and 21 under 35 U.S.C. § 103(a) as being unpatentable over Takeda in view of Ohki. Applicants respectfully traverse these rejections. Cancellation of Claim

9 renders its rejection moot.

Applicants submit that amended independent Claims 1, 5, 7, 8, 10, 11, and 15-23, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art at least for the following reasons.

The aspect of the present invention set forth in Claim 8 is an image communication apparatus for receiving a color image according to at least one ITU-T recommendation from a transmitting side that includes a notification means and extraction means. The notification means notifies the transmitting side of information declaring that image data of a main scanning length not more than a main scanning length defined by the recommendation can be received, and the extraction means extracts a valid area of image data transmitted from the transmitting side in response to the notification by the notification means.

Among other important features of Claim 8 are notifying the transmitting side of information declaring that image data of a main scanning length not more than a main scanning length defined by the recommendation can be received, and extracting a valid area of the image data transmitted from the transmitting side in response to the notification.

Takeda relates to a communication processing apparatus which discriminates a paper size of a document to be transmitted, negotiates with a receiving side, determines an attribute of the document based on the discriminated paper size, and transmits image data of the document to the receiving side based on the attribute. The Examiner states in the Office Action at page 3 that Takeda discloses an “extraction means 9 for extracting [a] valid area of image data transmitted from the transmitting side in response to the notification from said notification

means” (citing col. 4, lines 6-8). Applicants submit that this section merely describes that the paper size of one page is detected from the image data in image memory 7 by the document identifying unit 9. Applicants submit that nothing in this section, or any other section of Takeda, would teach or suggest extracting a valid area of image data, as recited in Claim 8.

Accordingly, Applicants submit that at least for this reason, Claim 8 is patentable over Takeda.

Claims 17 and 22 are method and storage medium claims, respectively, that correspond to Claim 8, and are believed to be patentable over Takeda for at least the same reasons as discussed above in connection with Claim 8.

The aspect of the present invention set forth in Claim 10 is an image communication apparatus for communicating a color image according to at least one ITU-T recommendation from a transmitting side. The apparatus includes a printing means, a determination means, and a transmission means. The printing means prints a color image on the basis of an image signal, the determination means determines a color printing capability of the printing means based on a type of color ink set and a type of printing medium in the printing means, and the transmission means transmits information about the color printing capability determined by the determination means to the transmitting side using a control signal based on the recommendation.

Among other important features of Claim 10 is determining a color printing capability of the printing means based on a type of color ink set and a type of printing medium used in printing.

Murai et al., as understood by Applicants, relates to a facsimile machine and facsimile communication system. Murai et al. discloses that a transmitting side determines whether a receiving side is a type having expanded functional information stored in the expanded functional information memory such as a color type, monochrome type, or standard type. Applicants submit that nothing has been found in Murai et al. that would teach or suggest determining a color printing capability of the printing means based on a type of color ink set and a type of printing medium used in printing, as recited in Claim 10.

Accordingly, Applicants submit that at least for this reason, Claim 10 is patentable over Murai et al.

Claims 18 and 23 are method and storage medium claims, respectively, that correspond to Claim 10, and are believed to be patentable over Murai et al. for at least the same reasons as discussed above in connection with Claim 10.

The aspect of the present invention set forth in Claim 1 is an image communication apparatus for communicating a color image according to at least one ITU-T recommendation with a distant apparatus that includes an original read means, an identification means, a compression means, and a control means. The original read means generates image data by reading an original, the identification means identifies a size of the original read by the original read means, and the compression means compresses image data. The control means, in a case where a paper size of the original, identified by the identification means, is smaller than a paper size defined by the recommendation, causes the original read means to read the original upon adding invalid data thereto to make the image data of the original have a paper size equal

to the paper size defined by the recommendation, and causes the compression means to compress the image data having the paper size defined by the recommendation and performing control to set a valid image area of the image data that has been compressed in accordance with the paper size of the original in a case where the image data that has been compressed is transmitted.

Among other important features of Claim 1 is performing control to set valid image data of image data that has been compressed in accordance with the paper size of the original in a case where the image data that has been compressed is transmitted.

Takeda, as mentioned above, discloses a communication processing apparatus which discriminates a paper size of a document to be transmitted, negotiates with a receiving side, determines an attribute of the document based on the discriminated paper size, and transmits image data of the document to the receiving side based on the attribute.

Ohki relates to an image processing apparatus for performing compression of image data based on serially input effective size data.

Shibata et al., as understood by Applicants, relates to a contents information transmitting/viewing system and method therefor. The Examiner stated in the Office Action at page 7 that Shibata et al. discloses adding invalid data to make the image data have a page size equal to the page size defined by the recommendation (citing col. 14, lines 58-61, with reference to Figure 5(b)). Applicants submit that this section discusses encoding a newspaper article on a sub-article basis and assumes a coding page CP1 includes an objected article (S12 in Figs. 5a and 5b) with portions being handled being designated by a blank "0" when coding the sub-article S12. Applicants submit that Shibata et al. does not compare a paper size of an original with the

paper size defined by the recommendation and reading the original upon adding invalid data to image data of the original, in a case where the paper size of the original is smaller than the paper size defined by the recommendation. In other words, Applicants submit that nothing has been found in the cited section, or any other section of Shibata et al., that would teach or suggest performing control to set valid image data of image data that has been compressed in accordance with the paper size of the original in a case where the image data that has been compressed is transmitted, as recited in Claim 1.

Accordingly, Applicants submit that at least for this reason, Claim 1 is patentable over Takeda, Ohki, and Shibata et al., when taken separately or in any proper combination (assuming such combination would even be permissible).

Claims 11 and 19 are method and storage medium claims, respectively, that correspond to Claim 1, and are believed to be patentable over Takeda, Ohki, and Shibata et al., when taken separately or in any proper combination for at least the same reasons as discussed above in connection with Claim 1.

The aspect of the present invention set forth in Claim 5 is an image communication apparatus for transmitting a color image according to at least one ITU-T recommendation to a receiving apparatus. The apparatus includes an original read means for generating image data by reading an original, an identification means for identifying a paper size of the original read by the original read means, a compression means for compressing the image data, and a control means for, in a case where the paper size of the original, identified by the identification means is smaller than the paper size defined by the recommendation, causing the

original read means to read the original in the paper size of the original and causing the compression means to compress the read image data, and performing control to designate the paper size of the original in a case where the image data compressed by the compression means is transmitted.

Among other important features of Claim 5 is that, in a case where a paper size of an original is smaller than the paper size defined by the recommendation, the original is read in the paper size of the original and the read image data is compressed, and when the image data compressed by the compression means is transmitted, the paper size of the original is designated.

The aspect of the present invention set forth in Claim 7 is an image communication apparatus for receiving a color image according to at least one ITU-T recommendation from a transmitting side. The apparatus includes a size identification means for identifying a paper size from a valid image area of compressed data on the basis of a comment marker in a received JPEG-compressed file, and a selection means for selecting a printing medium of a paper size suitable for printing on the basis of the paper size identified by the size identification means.

Among other important features of Claim 7 is that a paper size of a valid image area of received compressed image data is identified on the basis of a comment marker in a received JPEG-compressed file and a printing medium of a size suitable for printing the image data is selected on the basis of the identified paper size.

Takeda, as mentioned above, discloses a communication processing apparatus which discriminates a paper size of a document to be transmitted, negotiates with a receiving

side, determines an attribute of the document based on the discriminated paper size, and transmits image data of the document to the receiving side based on the attribute.

Ohki relates to an image processing apparatus for performing compression of image data based on serially input effective size data.

Applicants submit that nothing has been found in Takeda and Ohki, when taken separately or in any proper combination (assuming such combination would even be permissible) that would teach or suggest the above-recited features of Claims 5 and 7, and therefore, Applicants submit that at least for these reasons, Claims 5 and 7 are patentable over Takeda and Ohki, when taken separately or in any proper combination.

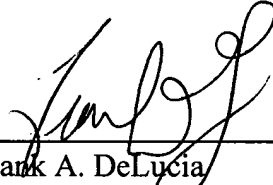
Claims 15 and 20 are method and storage medium claims, respectively, that include features similar in many respects to those of Claim 5 above, and Claims 16 and 21 are method and storage claims, respectively, that include features similar in many respects to those of Claim 7 above, and are believed to be patentable over Takeda and Ohki, when taken separately or in any proper combination for at least the same reasons as discussed above in connection with Claims 5 and 7, respectively.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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